



## NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Applicant: Ashkenazi, et al. Docket No.: 39780-1618P2C32  
Serial No.: 09/902,903 Group Art Unit: 1647  
Filing Date: July 10, 2001 Examiner: Bridget E. Bunner  
For: **SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND  
NUCLEIC ACIDS ENCODING THE SAME**

**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

*RECEIVED  
OCT 27 2003  
TECH CENTER 1600/2900*

Dear Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated May 19, 2003 of the Primary Examiner finally rejecting Claims 39-43. The item(s) marked below are appropriate:

An extension of time to respond to the final rejection for two month(s) has been requested and filed with the response to the office action.

Filing Fee:

\$165 (small entity)  
 \$330 (large entity)

Time Extension Fee (if applicable):

one month (\$110 large entity)  
 two months (\$420 large entity)  
 three months (\$950 large entity)

Enclosed is a check in the amount of \$ [redacted].

### CERTIFICATE OF MAILING (37 CFR 1.10(a))

CERTIFICATE OF MAILING BY "EXPRESS MAIL" - Rule 10: I hereby certify that this correspondence is being deposited on October 20, 2003 with the U.S. Postal Service "Express Mail Post Office to Addressee" under 37 CFR 1.10 as Express Mail No. EV346725525US addressed to: Mail Stop: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: October 20, 2003

*Cheryl Ann Rogers*  
Cheryl Ann Rogers

- Return prepaid postcard.
- The Commissioner is authorized to charge the required fees, additional fees, or credit any overpayment to Deposit Account 08-1641.

Date: October 20, 2003

Daphne Reddy  
Daphne Reddy  
Registration No. 53,507

**HELLER ERHMAN WHITE & McAULIFFE LLP**

**Customer No. 35489**  
275 Middlefield Road  
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Telephone: (650) 324-7000  
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10-22-03  
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AF/1647-\$

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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**TRANSMITTAL**

Transmitted herewith are the following documents:

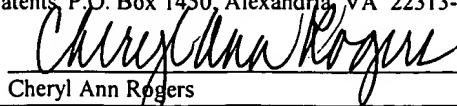
- (1) Transmittal;
- (2) Notice of Appeal;
- (3) Authorization to charge Deposit Account No. 08-1641 in the amount of \$330 for Notice of Appeal filing fee.

The Commissioner is authorized to charge any required fees, or credit any overpayment to Deposit Account No. 08-1641.

**CERTIFICATE OF MAILING (37 CFR 1.10(a))**

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Date: October 20, 2003

  
Cheryl Ann Rogers

Attached is a postcard for date-stamped return as confirmation of receipt of these materials.

Respectfully submitted,

Date: October 20, 2003

Daphne Reddy  
Daphne Reddy  
Reg. No. 53,507

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